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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/667,882	09/22/2003	Nathaniel Tue Tran	Biomarker	1160

7590 12/21/2004
Nathaniel Tue Tran
3205 Aspen Grove
Irvine, CA 92618-4085

EXAMINER

SISSON, BRADLEY L

ART UNIT PAPER NUMBER

1634

DATE MAILED: 12/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT

PAPER

19122004

DATE MAILED:

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Commissioner for Patents

"Preliminary Amendment B," filed on 22 September 2004 is incomplete because of the following omission(s) or matter(s): The format of the amendment is improper as it requests the cancellation of all pending claims without adding any claims. In order for an application to be examined on the merits, there must be at least one claim pending. It is noted with particularity that while the 2-page preliminary amendment asks for the entry of an amendment, no such papers were received via the facsimile transmission. In support of this position attention is directed attached copy of "Preliminary Amendment B," which consists of but two pages. Applicant is reminded that, as set forth under MPEP 714 [R-2], Section II C amendments that comprise clean version of claims (i.e., claims without brackets or underlining) are to reflect one of four status indicators: "(original), (currently amended), (previously presented), (canceled), (withdrawn), (new), or (not entered). A review of the amendment finds claims that reflect some other status identifier. Applicant is requested to resubmit the amendment whereby all claims are accounted for and reflect a status identifier as set forth in MPEP 714. See 37 CFR 1.111. Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

An examination of this application reveals that applicant is unfamiliar with patent prosecution procedure. While an inventor may prosecute the application, lack of skill in this field usually acts as a liability in affording the maximum protection for the invention disclosed. Applicant is advised to secure the services of a registered patent attorney or agent to prosecute the application, since the value of a patent is largely dependent upon skilled preparation and prosecution. The Office cannot aid in selecting an attorney or agent.

Applicant is advised of the availability of the publication "Attorneys and Agents Registered to Practice Before the U.S. Patent and Trademark Office." This publication is for sale by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bradley L. Sisson whose telephone number is (571) 272-0751. The examiner can normally be reached on Monday through Thursday from between the hours of 6:30 a.m. to 5 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, W. Gary Jones, can be reached on (571) 272-0745. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Bradley L. Sisson
Primary Examiner
Art Unit: 1634